

Grandinetti, Robert

From: Lopez, Maria
Sent: Monday, February 29, 2016 10:42 AM
To: Grandinetti, Robert
Subject: FW: Syringa Mobile Home Park NPDES Permit #ID00028495

Maria Lopez
Environmental Scientist
950 W. Bannock Street
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Telephone: (208) 378-5616
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From: Lopez, Maria
Sent: Thursday, February 25, 2016 8:36 AM
To: Neil Carle <neilcarle@gmail.com>; Shaffers Engineering <shaffersengineering@gmail.com>
Cc: John Cardwell <john.cardwell@deq.idaho.gov>; Tim Dack <timdack@dackoffice.com>; Lidgard, Michael <Lidgard.Michael@epa.gov>; Keenan, Dru <keenan.dru@epa.gov>; Poulsom, Susan <Poulsom.Susan@epa.gov>; Werntz, James <Werntz.James@epa.gov>
Subject: FW: Syringa Mobile Home Park NPDES Permit #ID00028495

Hi Neil,

Please refer to Mr. Lidgard's e-mail below regarding the information that is needed for the NPDES permit application which reflects the current status of the pending application. If you need further assistance on this particular issues, please contact Dru Keenan or Susan Poulsom. Dru's phone number is 206-553-1219 and Susan's phone number is 206-553-6258.

Thank-you,

Maria

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From: Lidgard, Michael
Sent: Wednesday, February 24, 2016 9:02 AM
To: Werntz, James <Werntz.James@epa.gov>; Lopez, Maria <Lopez.Maria@epa.gov>
Cc: Kenknight, Jeff <Kenknight.Jeff@epa.gov>; Stoll, Pat <STOLL.PAT@epa.gov>; Keenan, Dru <keenan.dru@epa.gov>; Szalay, Endre <Szalay.Endre@epa.gov>; Poulsom, Susan <Poulsom.Susan@epa.gov>
Subject: FW: Syringa Mobile Home Park NPDES Permit #ID00028495

Jim/Maria. I'm sending our latest correspondence to Syringa Mobile Home Park re their application. They did not reply to Dru's email from last summer. In short, we needed more information and evidence of progress on some fundamental problems prior to working on a permit. We also identified challenges to authorizing a discharge to this receiving water including bacteria, nutrient, and temperature concerns.

From: Keenan, Dru
Sent: Wednesday, February 24, 2016 7:37 AM
To: Lidgard, Michael <Lidgard.Michael@epa.gov>
Subject: FW: Syringa Mobile Home Park NPDES Permit #ID00028495

Mike, here is the email correspondence trail regarding the last request for a NPDES permit.

Dru

Druscilla Keenan
Office of Water & Watersheds M/S-191
EPA Region 10
1200 6th Ave
Seattle, WA 98101
206-553-1219
keenan.dru@epa.gov

From: Keenan, Dru
Sent: Thursday, August 20, 2015 3:49 PM
To: ashes1411@yahoo.com
Cc: Neil Carle <neilcarle@gmail.com>; Tim Dack <timdack@dackoffice.com>; Shannon Musick <shannonmusick@gmail.com>; Shaffers Engineering <jerry@palousecom.com>; MAGAR EDWARD MAGAR <calsport@msn.com>; Szalay, Endre <Szalay.Endre@epa.gov>; Poulosom, Susan <Poulosom.Susan@epa.gov>; Lidgard, Michael <Lidgard.Michael@epa.gov>
Subject: RE: Syringa Mobile Home Park NPDES Permit #ID00028495

Dear Ms. Magar,

This email is in response to your email of August 10, 2015, regarding the NPDES permit application submitted by your father Magar Magar for Syringa Mobile Home Park and your request for an accelerated schedule for issuing a NPDES permit for Syringa Mobile Home Park.

Before EPA can respond to your requests, we need a better understanding of the current operation and conditions at the facility. EPA is aware of the well documented history of operational problems and questionable conditions of the wastewater treatment system at Syringa Mobile Home Park. EPA is also aware of the Judgement and Order issued against Syringa Mobile Home Park in the lawsuit filed by the Idaho Conservation League. Given this history, EPA requests evidence that the problems at the Park's wastewater treatment facility have been corrected and that the facility can be operated such that it can meet the conditions of an NPDES permit.

Specifically, EPA would like evidence of the following:

- 1) The facility is under the responsible charge of duly licensed personnel;
- 2) The licensed personnel prepared and is implementing an overflow abatement plan;
- 3) A licensed engineer has prepared a discharge elimination plan; and
- 4) That upgrades have been made to the facility.

NPDES permit requirements are significant and require investment in equipment and operation. These conditions are monitored and enforced. The permit would require meeting secondary treatment standards for Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and pH. The permit would also impose limits for bacteria, nutrients, and potentially temperature, based on the wasteload allocations from the Total Maximum Daily Load (TMDL) for the South Fork Palouse River. In addition to quarterly monitoring and reporting requirements, the permit would contain operational and maintenance requirements and development and implementation of Best Management Requirements (BMPs).

We would be happy to meet with you and your engineer to review and discuss the status of your facility and what would be entailed in meeting the requirements of a NPDES permit. Please contact me or Susan Poulosom to arrange a meeting.

Best regards,

Dru

Druscilla Keenan
Office of Water & Watersheds M/S-191
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Seattle, WA 98101
206-553-1219
keenan.dru@epa.gov

From: Keenan, Dru
Sent: Monday, August 10, 2015 8:51 AM
To: 'ashes1411@yahoo.com'; Szalay, Endre; Poulosom, Susan
Cc: Neil Carle; Tim Dack; Shannon Musick; Shaffers Engineering; MAGAR EDWARD MAGAR
Subject: RE: Syringa Mobile Home Park NPDES Permit #ID00028495

Dear Ms. Magar,

Thank you for your email message of August 3rd. I apologize for the delay in acknowledging receipt of your message. We appreciate the information you have provided us on the status of the Syringa Mobile Home Park. I have set up a meeting of our staff to discuss your information and request. Due to scheduling conflicts, we won't be meeting until later this month. After the meeting, we will be in touch and provide a more specific response to your questions.

Best regards,

Dru

Druscilla Keenan
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From: ashes1411@yahoo.com [<mailto:ashes1411@yahoo.com>]
Sent: Monday, August 03, 2015 4:08 PM

To: Szalay, Endre; Keenan, Dru; Poulsom, Susan

Cc: Neil Carle; Tim Dack; Shannon Musick; Shaffers Engineering; MAGAR EDWARD MAGAR

Subject: Syringa Mobile Home Park NPDES Permit #ID00028495

Good Afternoon,

I hope this email reaches the right people. I am writing in concern to our pending NPDES Permit #ID00028495. My name is Shelley Magar, I am the daughter of the person who has submitted the original permit application, Magar Magar DBA Syringa Mobile Home Park. This letter is to discuss the status of our permit application and a request for our permit application to be moved to Tier 1 from our current Tier 3 position. I have recently taken over my father's business and upon going through your correspondence with you and your agents regarding this application I have a few comments and concerns. I understand that you have a back-up in permit application and thus had to construct your NPDES permit unit 2013-2015 strategic plan in order to play catch up, so believe me when I say I don't write this lightly knowing your work load. In 2014 while we were dealing with litigation from the Idaho Conservation League my father requested any copies of formal correspondence from your agency, the email he received stated that there was one incomplete application letter requesting more information on July, 31st 2012 with a following letter of completion on August 14th 2012. As it has been almost 3 years to the date, I believe it is a reasonable time to request the status even though we have an email from Endre Szalay on August 12th 2014 with an email from Keenan Dru on August 5th 2014 stating that the permit would not be seen in the foreseeable future. As for my petition to have our permit be moved up to Tier 1 I have a few concerns and/or pieces of evidence.

In your strategic plan it states that there are certain factors that determine the order of importance of these permits, the first and foremost being Idaho Conservation League Settlements . We were sued by the Idaho Conversation League for violating the clean water act put in place by your agency (the EPA) because we did not have a permit to discharge into the South Palouse River. If in fact any discharge had occurred it was not done purposely and if it did occur it happened because of weather conditions outside of our control. However that is neither here nor there because the judge found in favor of the ICL and thus imposed a 100,000 dollar fine upon Syringa Mobile Home Park to be paid earlier this year. In addition to the fine, their lawyers have requested fees of around 90,000 which almost match the daunting fine that has been placed upon us that we have no reasonable way to pay. In your strategic plan as I mention this group and its litigation is one of your top priorities. We have been taken to court, found liable and now are still under the threat of being sued and fined again if we can not get this permit in place or find another, much more expensive avenue of rescue.

We are currently in a chapter 11 bankruptcy and as such have no real means to put into place any other permanent method of legal discharge and/or protection of the South Palouse River until it is complete. As you are I'm sure well aware these proceedings take time and unfortunately it will definitely take us through another wet season where we are again in danger of having our lagoons become full again. We can't of course predict the weather and it is our responsibility to find a way to remain complainant with state and federal laws when nature comes calling. Our lagoon system as a disinfection cell does its job well. We have recent lagoon samples and an engineers report that state if we had this permit we would be well within its perimeters to discharge. We have kept up this level of disinfection ever since if not further back from the original permit application we submitted back in 2012. Your second factor on the list in your strategic plan is to implement approved total maximum daily loads (TMDLs) and I believe maintaining a level of disinfection that goes above and beyond your requirements belongs in that category.

Now as far as the permit is concern I know that even if our petition is granted to move Syringa up the Tier system we run into the issue that it will still take time to be granted a permit. Are there systems in place that can grant a temporary permit, perhaps one granted using the guidelines of the proposed permit so that the systems waiting for either an approval or denial of their permit can still function and not be in danger of violating any EPA laws? Upwards of 3 years or more seems a long time to be waiting and to be kept in limbo without any means of protection afforded to the system while they wait for something completely out of their control. I hope this

letter is well received and that we can come to some sort of compromise to protect both our interests while we wait for your agency to get through your work load. Attached to this email are documents supporting our petition including the judgement from the ICL, the lawyer fee petition from the ICL, and a recent lagoon sampling. Should you need any of the emails mentioned in this letter please don't hesitate to ask. The people CC's in this email are Neil Carle, my co-manager, Tim Dack, our bankruptcy attorney, Shannon Musick, our park manager, Jerry Shaffer, our engineer and of course Magar Magar, my father. I look forward to hearing from you, hopefully in a positive manner.

Sincerely,
Shelley Magar